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7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13
14 v.
15 PHILLIP PULIDO,
16
17 Defendants.

CASE NO. 1:23-CR-00083-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: September 6, 2023
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

16
17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendants, by and
19 through defendants' counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status on September 6, 2023.
- 21 2. By this stipulation, defendant now moves to continue the status conference until
22 November 15, 2023, and to exclude time between September 6, 2023, and November 15, 2023, under
23 18 U.S.C § 3161(h)(7)(A), B(iv) [Local Code T4].
- 24 3. The parties agree and stipulate, and request that the Court find the following:
 - 25 a) The government has represented that the discovery associated with this case
26 includes reports, photographs, and audio files. All of this discovery has been either produced
27 directly to counsel and/or made available for inspection and copying.
 - 28 b) Counsel for defendant desires additional time to further review discovery and
conduct further investigation.

1 c) Counsel for defendant believes that failure to grant the above-requested
2 continuance would deny him/her the reasonable time necessary for effective preparation, taking
3 into account the exercise of due diligence.

4 d) The government does not object to the continuance.

5 e) Based on the above-stated findings, the ends of justice served by continuing the
6 case as requested outweigh the interest of the public and the defendant in a trial within the
7 original date prescribed by the Speedy Trial Act.

8 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
9 et seq., within which trial must commence, the time period of September 6, 2023 to November 15,
10 2003 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
11 T4] because it results from a continuance granted by the Court at defendants' request on the basis
12 of the Court's finding that the ends of justice served by taking such action outweigh the best
13 interest of the public and the defendants in a speedy trial.

14 g) The parties also agree that this continuance is necessary for several reasons,
15 including but not limited to, the need to permit time for the parties to exchange supplemental
16 discovery, engage in plea negotiations, and for the defense to continue its investigation and
17 preparation, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).

18 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
20 must commence.

21 IT IS SO STIPULATED.

22 Dated: September 1, 2023

23 PHILLIP A. TALBERT
United States Attorney

24 /s/ STEPHANIE M. STOKMAN
25 STEPHANIE M. STOKMAN
Assistant United States Attorney

1 Dated: September 1, 2023

/s/ CHRISTINA CORCORAN
CHRISTINA CORCORAN
Counsel for Defendant
PHILLIP PULIDO

5 **ORDER**

6 IT IS SO ORDERED.

8 DATED: 9/1/2023

Sheila K. Oberto

THE HONORABLE SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE